

Strasburger

ATTORNEYS AT LAW

August 11, 2014

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Via CMRRR #71791000164924111428

Ms. Lisa Shedden
Assistant U.S. Attorney, Northern District of Texas
1100 Commerce, Suite 300
Dallas, Texas 75242

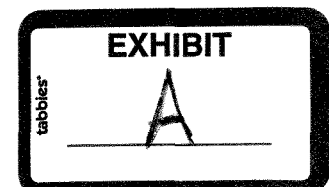
Dear Ms. Shedden:

This firm represents Luna & Luna, LLC ("Luna") in a lawsuit filed by Texas Branch Bank ("TBB") pertaining to money that was fraudulently transferred from Luna's accounts at TBB ("Fraudulently Transferred Funds") to an account at JPMorgan Chase Bank ("JPMorgan") held by the Industrial and Commercial Bank of China ("ICBC"). Shortly after the fraudulent transfers, the U.S. Attorney's Office for the Northern District of Texas obtained the issuance of a seizure warrant, seizing \$1.66 million (the "Seized Funds") under the theory that these funds were either the Fraudulently Transferred Funds or could be held as substitute funds in place of the Fraudulently Transferred Funds. As we understand, your office is currently investigating whether to proceed with a criminal case and/or a civil forfeiture proceeding as to the Seized Funds. This letter is to provide formal notice that Luna is a victim of the offense linked to the seized funds and to make certain other requests as specified further below.

Luna's Status as Victim:

Between June 21, 2012 and July 2, 2012, three fraudulent wire transfers resulted in over \$1.7million being wired out of Luna's accounts at TBB. The perpetrators of the fraudulent wire transfers somehow gained access to Luna's online banking account and used it to create the fraudulent wires. Two of those wires were sent to JPMorgan, as the receiving bank, for the benefit of an account belonging to ICBC. The wire transfer requests further provided that they were for credit to Jixi Tianfeng Trade Co. Ltd. and listed an account number, presumably at ICBC.

On July 2, 2012, Luna discovered the fraudulent transfers and reported them to TBB. Luna was also in contact with the Federal Bureau of Investigation regarding the fraudulent wires.



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Shortly after the fraudulent wires were discovered, TBB and Luna entered into a Cooperation Agreement (the "Agreement") in which TBB agreed and ultimately did restore an amount equal to the Fraudulently Transferred Funds to Luna's accounts. However, TBB claims to have reserved, in the Agreement, its right to pursue claims against Luna for any unrecovered portion of the Fraudulently Transferred Funds, and has brought suit against Luna for approximately \$1.66 million plus attorneys' fees (the "TBB/Luna Litigation").

Victim's Notice and Requests:

Based on the foregoing facts, Luna views itself as a victim of such offense and this firm understands that the U.S. Attorney's Office is considering prosecuting same. It is also this firm's understanding that in prosecuting the potential criminal case and/or forfeiture proceeding it is the goal of the U.S. Attorney's Office to make the victim whole and to accommodate certain statutory rights afforded the victim of the relevant crime. Therefore, please let this letter serve as notice that Luna is a crime victim and is therefore entitled to all rights afforded a crime victim under 18 U.S.C. § 3771, 18 U.S. Code § 3663A, 18 U.S.C. § 983, and any other relevant law. Further, as a crime victim, Luna requests information regarding the status of the civil and/or criminal proceedings.

Please provide your response within thirty (30) days of your receipt of this letter. Also, if you would like to discuss any of the foregoing further or have questions related to your investigation generally, please feel free to contact me directly.

Sincerely,



Scott A. Shanes

cc: Candi Heath (candina.heath@usdoj.gov)
John DeLaGarza (john.delagarza@usdoj.gov)